

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
)	No. 3:11-00015
v.)	CHIEF JUDGE CAMPBELL
)	
GUY DENTON SAVAGE, et al.)	

**SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF REQUEST FOR
EXTRADITION OF GUY DENTON SAVAGE**

I, John K. Webb, being duly sworn, state that:

1. I am a citizen of the United States of America and a resident of State of Tennessee.
2. I graduated from Southern Methodist University, Dedman School of Law, in 1990. Between 1998 and 2008, I served as a federal prosecutor for the United States Attorney's Offices in the Central District of California, the District of Oregon, and the Southern District of West Virginia. Since 2008 I have served as Deputy Criminal Chief and Chief of the White Collar Fraud Division with the United States Attorney's Office for the Middle District of Tennessee. My duties as an Assistant United States Attorney include the prosecution of persons charged with criminal violations of the laws of the United States. During my practice as a criminal prosecutor I have become knowledgeable about the criminal laws and procedures of the United States.
3. In the course of my duties, I have become familiar with the charges and evidence in the case of United States v. Guy Denton Savage, Criminal No. 3:11-00015.

4. This prosecution arose from a joint investigation conducted by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), which revealed that from approximately December 2003 and continuing through December 2009, Guy Denton Savage, also known as Gus Savage ("Savage"), a citizen and resident of the United Kingdom, violated United States criminal laws by illegally importing and exporting firearms and firearm components to and from the United States. The investigation revealed that Savage, through his companies, Sabre Defence Holdings, Inc., Sabre Defence Industries, LLC ("SDI-US"), and Sabre Defence Industries, LTD ("SDI-UK"), directed these illegal activities from the United Kingdom.

5. In January 2011, the United States submitted a formal request to the United Kingdom for the extradition of Guy Denton Savage.

Identity Point

6. Savage claims that his liability for crimes in the United States has been expunged due to civil proceedings that have resulted in the creation of a "trusteeship of his corporate identity." According to Savage, the trusteeship of his corporate identity was created when, on or about September 6, 2011, he submitted a self-executing packet of documents to United States District Court Judge Todd Campbell for filing in the criminal case styled United States v. Guy Denton Savage, Criminal No. 3:11-00015. The packet mailed to Judge Campbell included documents styled "Notice of Settlor and Appointment and Instructions to Trustee," "Affidavit of Denial of Corporate Existence," "Affidavit of Individual Surety," and "Invoice." In the document styled "Affidavit of Denial of Corporate Existence," Savage denied that he was incorporated, denied that he was a person, and expressly denied "the existence of the United

States, United States of America, US, USA, Washington DC, United States District Court, United Nations, State of Tennessee, United Kingdom, Guy Denton Savage.”

7. In the document styled “Notice of Settlor and Appointment and Instructions to Trustee,” Savage included self-executing instructions for the appointment of Judge Campbell as “Trustee for the Defendant, GUY DENTON SAVAGE,” and instructed Judge Campbell, as “trustee,” to “arrange full and expeditious payment” of the “Invoice” as settlement of the criminal case styled United States v. Guy Denton Savage, Criminal No. 3:11-00015. The “Invoice” submitted to Judge Campbell for collection as “Trustee,” demanded payment of compensation to Savage in the amount of \$245,550,000 USD for “severe injury suffered on the Beneficiary by the Plaintiff in violation of the 4th, 5th, 6th, and 14th Amendments of the United States Constitution.”

8. The use of such “self-executing” documents while alleging trusteeship of his corporate identity is a tactic commonly used by U.S. tax protestors or “Sovereign Citizens” in an effort to intimidate government officials or other individuals, avoid payment of taxes, or to eliminate mortgage debt or other financial obligations. In the “Notice of Settlor and Appointment and Instructions to Trustee,” Savage “demanded” that the Trustee (Judge Campbell) “expeditiously and fully settle this case #3.11-00015” and “to arrange full and expeditious payment of this invoice.”

9. On or about October 6, 2011, Savage served Judge Campbell with a document styled “Notary Affidavit of Non-Response,” in which Savage accused Judge Campbell, as his “Trustee,” of failure to reply to the demands set forth in the September 2011 documents. According to Savage, Judge Campbell’s failure to respond timely automatically “affirmed” defendant’s “terms, conditions, allegations, true bills, ledgers, etc.” Thus, according to Savage,

he cannot be the subject of the indictment handed down by a Federal Grand Jury in the United States and his liability was expunged via "tacit procurement."

10. Guy Denton Savage is not considered a "legal fiction" in the eyes of the Court, and is, in fact, the individual who was the subject of the Indictment handed down by a Federal Grand Jury in Nashville, Tennessee in the case styled United States v. Guy Denton Savage, Criminal No. 3:11-00015.

Adverse Publicity

11. Defendant has expressed concern that adverse publicity from comments reported by local news outlets might have an adverse affect on the minds of potential jurors. The statements attributed to this Affiant about the weapons and where they might end up is accurate; however, the Affiant's statements were merely an affirmation of statements made by the press about the importance of identifying the end users of weapons and the dangers to Americans abroad associated with weapons shipped without proper export licenses. The comments were made during a press conference held immediately after the announcement of the underlying indictment, and was limited to general information already available from the indictment and supporting affidavits, all public documents at the time. Further, the comment did not mention defendant Savage.

12. Savage has also expressed concern about a news article quoting from an unnamed "affidavit" that "more than 9,500 rounds of magazines" had been shipped to the Middle East. The affidavit referred by the media appears to be the *Affidavit For Search Warrant* filed by the ATF in support of the search of the Sabre Defense Industries premises in February 2010, which contains specific references to email traffic in July 3, 2007, between Savage and others that discuss the ultimate destination of the 9500 ammunition magazines. The information contained

in this article could potentially be information introduced during the prosecution's case against defendant Savage.

13. Federal judges exercise significant power and authority in their management of criminal trials, including the exclusion of evidence from the jury and instructions to jurors that prohibit review or consideration of media coverage. It is a principal duty of the trial judge to ensure a fair trial for every defendant. Instructions to the jury is a significant tool used by a trial judge to insure that jurors are protected from media exposure. As a matter of course, a trial judge routinely provides jurors with explicit instructions about the law of the case, and carefully advises them that they are bound by oath to follow the instructions given, to avoid any bias, sympathy or prejudice that a juror might feel toward one side or the other that would influence his/her decision. In addition, jurors are instructed to consider that the defendant starts the trial with a clean slate, with no evidence at all against him, and that the law presumes that the defendant is innocent. This presumption of innocence stays with the defendant unless the Government presents evidence in court that overcomes the presumption, and convinces jurors beyond a reasonable doubt that he is guilty.

14. Further, under United States law, the Court, the government, and the defendant in a trial all have an opportunity to fully explore any bias of potential jurors through extensive questioning during the jury selection process. This allows both parties to weed out potential jurors who would be unable to render a fair and impartial verdict.

Passage of Time

15. In November 2007, ICE began an investigation of Sabre Defence Industries (SDI-US) after receiving an anonymous tip that SDI-US had been shipping defence items to the United Kingdom without a proper export license. In November 2008, ICE was notified by agents of the

Customs and Border Patrol that employees of DHL, a delivery service, had seized a "suspicious" package being exported to the United Kingdom by SDI-US. In both instances, the ICE investigations of SDI-US were focused on violations of import and export statutes and regulations. In December 2009, the ATF began an investigation of SDI-US after Nashville Metro Police requested assistance in investigating a burglary involving theft of a gun safe and firearms from the home of a SDI-US employee. The ATF investigation focused on the sale of weapons without a Federal Firearms License ("FFL"). Around January 2010, ICE and the ATF learned of their parallel investigations and agreed to combine their efforts into a joint investigation. The investigations revealed after the fact, that the targets had been engaged in the conduct since 2003.

Seized Materials

17. Federal Rules of Criminal Procedure ("FRCP") 16 and Local Rule 16.01 govern discovery in criminal cases, including document production. Four of the defendants in United States v. Guy Denton Savage, et al, Criminal No. 3:11-00015, have appeared before the Court and been arraigned. They have been provided discovery by the government. Additionally, all four defendants have entered guilty pleas and are awaiting sentencing. When/if defendant Savage is extradited to the United States and arraigned on the underlying charges of the indictment, any outstanding discovery will be provided forthwith to him or his attorney of record pursuant to FRCP 16 and Local Rule 16.01.

Mental Health

18. The United States criminal justice and penal systems include a network of medical facilities that provide hospital and mental health care to inmates. By law, prisoners with mental disease or defects are provided with psychiatric or psychological examinations and other mental

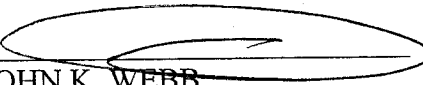
health care. *See* 18 U.S.C. § 4247. In addition, offenders with mental disease or defects are provided, when and where necessary, with mental competency examinations. *See* 18 U.S.C. § 4241. As needed, mental health evaluations are provided to inmates, along with long-term care when necessary. In addition, at sentencing Courts will frequently order that mental health care, or drug and alcohol treatment be made a part of the inmate's conditions of sentencing.

19. Further, FRCP 44 provides that any defendant who is unable to obtain counsel is entitled to have counsel appointed to represent him at every stage of the proceeding from initial appearance through appeal, unless the defendant specifically waives this right. However, each United States District Court, with the approval of the judicial council of each judicial circuit, operates a plan for furnishing representation for any person financially unable to obtain adequate representation. Such representation includes appointment of a Federal Public Defender or a panel attorney from an approved list of defense bar counsel. In addition to appointment of counsel, a defendant is entitled to investigative, expert, and other services necessary for adequate representation. *See* 18 U.S.C. § 3006.

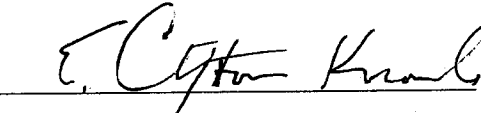
CONCLUSION

Mr. Savage has failed to identify any compelling reason why the United Kingdom should not extradite him to the United States to stand trial for his crimes.

Executed this 21st day of October 2011 at Nashville, Tennessee, United States of America.


JOHN K. WEBB
Assistant United States Attorney

Signed and sworn to before me this 21st day of October, 2011, at
Nashville, Tennessee.


E. CLIFTON KNOWLES
United States Magistrate Judge